



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE November 20, 2015 FINAL EFFECTIVE DATE December 4, 2015	CONTACT/PHONE Terry Wahler, project manager 781-5621	APPLICANT Ralph & Lisa Hackett	FILE NO. DRC2014-00112
SUBJECT A request by RALPH & LISA HACKETT for a Minor Use Permit (DRC2014-00112) to allow a two-story 4,709 square-foot single family residence, lower level storage and an attached 705 square foot garage with associated grading. Also included are retaining walls, a patio and pool. The proposed project will result in limited oak tree removal within the designated building envelope and site disturbance of approximately 7,850 square feet within a 10,471 square foot (0.24 acre) parcel. The project site is within the Residential Suburban land use category and is located at 6315 Mar Vista Place in the Heron Crest neighborhood of San Luis Bay Estates approximately 1,000 feet north of the community of Avila Beach. The site is in the San Luis Bay Sub-Area of the San Luis Obispo Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00112 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION Consistent with the Subsequent Final EIR for Tract 2149 (ED15-118)			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Geologic Study Area	ASSESSOR PARCEL NUMBER 076-180-010	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: Section 22.106.050B1a: San Luis Bay Estates areawide standards: Master Use Permit included by reference Section 22.106.050B5a: San Luis Bay Estates Residential Suburban: limitation on use <i>Does the project meet applicable Planning Area Standards: Yes</i>			
LAND USE ORDINANCE STANDARDS: Section 22.10.140 – Setbacks <i>Does the project conform to the Land Use Ordinance Standards: Yes</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on December 4, 2015, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban/residences <i>East:</i> Open Space/open space and oak woodland <i>South:</i> Open Space/open space and oak woodland <i>West:</i> Residential Suburban/residences			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ Fax: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Avila Valley Advisory Council, San Luis Bay Estates Homeowners Association, Public Works, Building Division, and Cal FIRE	
TOPOGRAPHY: Approximately 19% slope	VEGETATION: Oak trees, grasses
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Cal Fire	ACCEPTANCE DATE: September 9, 2015

DISCUSSION:

PROJECT HISTORY:

The Master Development Plan for San Luis Bay Estates includes a general phasing plan that establishes the number of units allowed for each residential phase as well as the open space requirements. An amendment to the Master Development Plan allowed the later phases to be combined into a single planned development Tract Map application (Tract 2149) that established a more specific phasing schedule for the residential neighborhoods within the tract. This project is located in Phase 4b, of Heron Crest, Tract 2149.

PROJECT DESCRIPTION:

The applicants, Ralph & Lisa Hackett are proposing construction of a two-story 4,709 square-foot single family residence and an attached 705 square foot garage with associated grading. Also included are retaining walls, a patio and pool. The proposed project will result in limited oak tree removal within the designated building envelope and site disturbance of approximately 7,850 square feet within a 10,471 square foot (0.24 acre) parcel. The project site is within the Residential Suburban land use category and is located at 6315 Mar Vista Place in the Heron Crest neighborhood of San Luis Bay Estates. The proposed project is similar to other custom residences that have been approved in this phase of Tract 2149.

PROJECT ANALYSIS

The primary issues addressed with this Minor Use Permit review are: consistency with the revised master development plan D930130D, oak tree preservation, visual impacts, minimizing grading, containing site disturbance in the designated building envelope, building height and setbacks.

The building pad for this site was not graded in conjunction with the grading for tract road and utility improvements as it was for some other lots in Heron Crest. The site is largely undisturbed, and is moderately sloping from the fronting road to the south easterly property line.

Staff met on-site with the applicant several times prior to application submittal and after the initial plans were reviewed. Revisions were made to the initial plans to properly reflect setback requirements, visual mitigation and to better protect surrounding oak trees.

Oak tree removal in Heron Crest is limited to trees located within designated building sites. At staff's suggestion the applicant has elected to retain several trees along the southern periphery of the site within the designated building envelope. Large oak trees located on the open space parcel to the south and outside the designated building envelope whose root systems and limbs partially protrude into the building envelope along the southern portion of the site, are proposed (and required) to be protected. These oak trees provide visual screening and are required to be protected for visual screening and oak tree preservation in general. Prior to grading, protective fencing is required to be installed and trimming of oak tree limbs will require review by an arborist and approval by Planning Department staff. A preliminary arborist's report was prepared to assess the proposal relative to oak protection. Recommendations from this report are incorporated into the project.

A visual analysis was prepared by Firma to evaluate the visual impacts of the proposed residence from the public viewshed along Avila Beach Drive and the public views from Avila Beach, principally along Front Street. The visual simulations and resulting analysis indicated that proposed project could achieve 75% screening as required by the Master Development Plan for San Luis Bay Estates and the visual mitigation/conditions of approval for Development Plan D9300130D/Tract 2149 with the color and materials design features, roof design and building articulation incorporated into the design. Additionally, the project includes landscaping that will further blend the residence into the surrounding natural terrain.

With the attached conditions of approval, staff has determined that the project is consistent with the General Plan, the LUE and LUO, the Master Development Plan and Tract 2149/Development Plan D930130D and the mitigation measures for certified final subsequent EIR.

ENVIRONMENTAL REVIEW:

A Final Subsequent Environmental Impact Report (FSEIR) was certified by the Planning Commission along with the approval of Tract 2149/Development Plan D930130D. This project was determined to be consistent with and within the scope of that document. A site specific visual analysis was prepared by an independent consultant. It was determined through the visual study that the resulting structure would be substantially screened from the primary public view area along Avila Beach Drive. In addition special colors and materials have been identified that will further reduce the visual impact of the project. No new potentially significant impacts have been identified that would require an additional environmental review document. The project implements the specific mitigation measures identified in the certified FSEIR applicable to this residence. A recommended finding has been included in Exhibit A to reflect the use of the FSEIR.

PLANNING AREA STANDARDS:

San Luis Bay Sub-Area of the San Luis Obispo Planning Area.

AREAWIDE - San Luis Bay Estates 1. **Permit Required - Master Plan.** Consistency with Master Development Plan - Phase 4B.

RESIDENTIAL SUBURBAN - San Luis Bay Estates 1. **Limitation on Use** - Uses allowed include home occupations, residential accessory uses; single family dwellings.

The proposed plans are consistent with the Planning Area Standards for San Luis Bay Estates because the project meets the provisions of the Master Development Plan and the limitations on allowed uses within the Residential Suburban land use category.

MASTER DEVELOPMENT PLAN FOR SAN LUIS BAY ESTATES:

The proposed plans are consistent with the Master Development Plan for San Luis Bay Estates because the project adheres to the provisions of the Master Development Plan as revised in Development Plan D930130D.

LAND USE ORDINANCE STANDARDS:

The proposed plans are consistent with the Land Use Ordinance.

COMBINING DESIGNATIONS:

The project is located within the following Combining Designations:

Geologic Study

The subdivision (Tract 2149) that created this lot was reviewed for geologic hazards with the environmental impact report. Lot locations avoided geologic hazard areas identified in the Geologic Report for the tract. The project conditions require further review of soils and geology with the construction plans at the building permit stage. The project is consistent with Land Use Ordinance section 22.14.070 - Geologic Study Area (GSA).

COMMUNITY ADVISORY GROUP COMMENTS:

As stated in the attached referral response dated October 5, 2015, the Avila Valley Advisory Council had the following comments: "Regarding the above referenced project, the Heron Crest Architectural Review Committee has reviewed the project and has found no significant issues with it. Therefore, AVAC recommends that the project be approved and move forward."

AGENCY REVIEW:

Public Works—indicates that a drainage, sedimentation and erosion control plan is required as well as the Avila Beach Road Improvement Fee

Cal Fire—comply with Fire safety plan dated September 13, 2015

Building Division—comply with comments in referral response dated April 1, 2015

LEGAL LOT STATUS:

The site is lot 10 of Tract 2149, approved pursuant to the Subdivision Map Act and local ordinances.

Staff report prepared by Terry Wahler and
Reviewed by Karen Nall, Supervising Planner